

CITY OF LOCKPORT
CORPORATION PROCEEDINGS

Lockport Municipal Building

Regular Meeting
Official Record

August 7, 2013
6:00 P.M.

Mayor Michael W. Tucker called the meeting to order.

ROLL CALL

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, McCaffrey, Fogle, Schrader, and Genewick.

RECESS

Recess for public input.

080713.1

APPROVAL OF MINUTES

On motion of Alderman McCaffrey, seconded by Alderman Lombardi, the minutes of the Regular Meeting of July 17, 2013 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

PUBLIC HEARING

The Mayor announced a public hearing on a proposed local law renewing the City of Lockport Hotel Occupancy Tax Law.

The Mayor asked the City Clerk if any petitions or communications relative to said local law have been received.

Recess for public input.

The Mayor closed the public hearing

FROM THE MAYOR

Appointments:

7/18/13 David E. Sheehan, 126 LeVan Avenue, Lockport, NY – appointed as Streets Crew Leader for the Highways and Parks effective July 16, 2013. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

7/18/13 Rhonda L. Platte, 711 Walnut Street, Lockport, NY – appointed as Senior Account Clerk in the Treasurer’s Department effective July 31, 2013. Said appointment is permanent and subject to the City of Lockport Municipal Civil Service Rules and Regulations. Received and filed.

FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

Communications (which have been referred to the appropriate City officials)

7/24/13 Sid Parish, Chairman Board of Directors, The Navy Marine Club – requesting permission to close a portion of Park Avenue on August 17, 2013 to conduct a family picnic. Referred to the Committee of the Whole

7/25/13 Martha Nagy, Executive Director, Lockport C.A.R.E.S – requesting permission to conduct “Lockport CARES Community Weekend” event to celebrate the opening of Lockport CARES Kahler House from October 4th through October 6th. Referred to the Committee of the Whole

8/2/13 Carol G. Houwaart-Dietz, President, United Way of Greater Niagara, Sanborn, NY – requesting permission to conduct the 2013 Norman Sinclair Memorial Walk on September 28, 2013. Referred to the Committee of the Whole

Notice of Defect:

7/16/13 26 Bewley Parkway, Lockport, NY - tree
7/17/13 606 Walnut Street, Lockport, NY – tree
7/18/13 14 Harrison Avenue, Lockport, NY – tree
7/19/13 94 Niagara Street, Lockport, NY – sewer back-up
7/22/13 164 Vine Street, Lockport, NY – tree
7/22/13 Chapel Street, Lockport, NY – trees
7/23/13 332 Chapel Street, Lockport, NY – tree
7/25/13 325 Green Street, Lockport, NY – tree
7/29/13 125 Irving Street, Lockport, NY – trees
Referred to the Director of Engineering.

Notice of Claim:

7/25/13 Dan Branch, 3 Standish Road, Lockport, NY
7/29/13 Allstate Insurance Company as Subrogee of Stephen and Arlene Wallace, 3800 Electric Road, Roanoke, VA
Referred to the Corporation Counsel.

Notices of Claim Re: June 28th Storm Damage:

7/17/13 Jeffrey & Lucy Pencille, 406 Lincoln Avenue, Lockport, NY
7/17/13 Milford W. Angevine, Jr., 112 Spalding Street, Lockport, NY
7/17/13 Jennifer Bucholtz, 33 Carolina Avenue, Lockport, NY

7/17/13 Donald C. Hall Jr., 69 Regent Street, Lockport, NY
7/17/13 Ms. Jose Hyland, 78 Hyde Park, Lockport, NY
7/18/13 Karl A. Buryta, 153 Jackson Street, Lockport, NY
7/18/13 Deborah A. Harmon, 70 Grant Street, Lockport, NY
7/18/13 Eric Linsky, 3 Tudor Lane, Apt 1, Lockport, NY
7/18/13 Carolyn Maslowski, 93 Regent Street, Lockport, NY
7/18/13 Edyth Mault, 677 Lincoln Avenue, Lockport, NY
7/18/13 Widewaters Drive-In, 767/801 Market Street, Lockport, NY
7/19/13 Kellie J. Small, 89 Hyde Park, Lockport, NY
7/25/13 William T. Scirto, 1 Main Street, Lockport, NY
7/26/13 Jonathan & Andrea Castro, 420 Pine Street, Lockport, NY
7/30/13 Paul Sandell, 117 McIntosh Drive, Lockport, NY
Referred to the Corporation Counsel

Petition: (Small Claims Assessment Review)

7/24/13 Maria Dembrow, 44 Morrow Avenue, Lockport, NY
7/31/13 Paul & Karen Antonio, 260 Continental Drive, Lockport, NY
Referred to the City Assessor

Notice of Petition: (To review real property tax assessment pursuant to Article 7 of the Real Property Tax Law)

7/24/13 Chetan LLC –vs- Assessor, City of Lockport and The Board of Assessment
Review of the City of Lockport, County of Niagara and State of New York

7/24/13 Michael A. Dascoli –vs- Assessor, City of Lockport and The Board of
Assessment Review of the City of Lockport, County of Niagara and State of New York

7/24/13 SKD Villager Associates –vs- Assessor, City of Lockport and The Board of
Assessment Review of the City of Lockport, County of Niagara and State of New York

7/24/13 Lockport Plaza, LLC –vs- Assessor, City of Lockport and The Board of
Assessment Review of the City of Lockport, County of Niagara and State of New York

7/25/13 Rustscheff Family Trust – vs- Tax Assessor of the City of Lockport, New York
and the Board of Assessment Review for the City of Lockport, New York

7/31/13 Raymond E. Ruhlmann, III –vs- Harry Williams, Assessor of the City of Lockport,
Board of Assessment Review of the City of Lockport

Referred to the City Assessor

MOTIONS & RESOLUTIONS

080713.2

By Alderman Genewick:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on August 9, 2013.

Seconded by Alderman Kibler and adopted. Ayes 6.

080713.3

By Alderman Genewick:

Resolved, that claims authorized for payment by the Director of Planning and Development, and subsequently paid from the Community Development Escrow Account, be and the same are hereby approved.

Seconded by Alderman Lombardi and adopted. Ayes 6.

080713.4

By Alderman Lombardi:

Resolved, that the Mayor and Common Council do hereby extend congratulations and appreciation to the following City employees for their years of dedicated service to the City of Lockport:

<u>Employee</u>	<u>Years of Service</u>	<u>Title</u>
Scott D. Seekins	30	Police Lieutenant Detective
Joseph M. Brown	25	Police Officer
Donald F. Stoll	20	Firefighter
Warren D. Hale	20	Police Detective
Richard A. Provenzano	20	Police Officer
Salvatore Licata	15	Police Lieutenant
Amy B. Wiltse	10	Clerk/Matron
Eric G. Holz	5	Water Treatment Plant Operator

Seconded by Alderman McCaffrey and adopted. Ayes 6.

080713.5

By Alderman McCaffrey:

Resolved, that pursuant to their request, permission is hereby granted to Lockport C.A.R.E.S to barricade Genesee Street from Locust Street to Waterman Street on Sunday, October 6, 2013 for a Community Event to celebrate the opening of Lockport CARES Kahler House, and be it further

Resolved, that the Director of Engineering be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Fogle and adopted. Ayes 6.

080713.6

By Alderman Kibler:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of Roland L. Robison, a retired City of Lockport Building Maintenance Superintendent who recently passed away.

Seconded by Alderman Schrader and adopted. Ayes 6.

080713.7

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to the Navy-Marine Club to barricade Park Avenue from the Navy-Marine Club to Hawley Street on August 17, 2013 for their annual picnic, and be it further

Resolved, that the Director of Engineering be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Genewick and adopted. Ayes 6.

080713.8

By Alderman Fogle:

Resolved, that the Youth Director be and the same is hereby authorized and directed to prepare the 2013 project application for state aid in the amount of \$23,400 for the Youth and Recreation Department, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized to execute and submit said grant application for state aid for 2013 for Youth and Recreation.

Seconded by Alderman Schrader and adopted. Ayes 6.

080713.9

By Alderman Fogle:

Resolved, that the Mayor, subject to Corporation Counsel approval, be and the same is hereby authorized and directed to execute a contract with Lockport Little Loop Football for use of Exchange Field for their 2013 season.

Seconded by Alderman Genewick and adopted. Ayes 6.

080713.10

By Alderman McCaffrey:

Resolved, that pursuant to their request, the Greater Lockport Development Corporation is hereby authorized to submit a New York Main Street Grant application (authorized through the New York State Office of Community Renewal) on behalf of set business and property owners in the City of Lockport, as identified by, the Greater Lockport Development Corporation in the grant application, for the purpose of rehabilitation and renovation, and be it further

Resolved, that the City of Lockport and the Common Council supports this grant application and should funding be awarded, will offer advisory consultation as necessary.

Seconded by Alderman Kibler and adopted. Ayes 6.

080713.10A

By Alderman McCaffrey:

Resolved, that the bid proposal of Rel Comm, 250 Cumberland Street, Rochester, NY received on June 28, 2013, for Telephone Server System be accepted in the amount of \$28,640.00 plus additional support. Cost of same to be charged to account # 004.0004.0520.4147.

Seconded by Alderman Kibler and adopted. Ayes 6.

080713.10B

By Alderman Schrader:

Resolved, that resolution #020613.7 adopted by the Common Council at their February 6, 2013 meeting, regarding Molinaro's Italian Festival be and the same is hereby amended to include use all of Parking Lot #5 on Sunday, August 11, 2013 for the festival.

Seconded by Alderman Lombardi and adopted. Ayes 6.

080713.10C

By Alderman Schrader:

Resolved, that pursuant to his request, Donald Kaufmann is hereby granted permission to close Washburn Street from South Street to Elmwood Avenue on Saturday, August 10, 2013, for the Washburn Street Meat Market Anniversary event, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for delivery of "street closed" signs, barricades, and waste receptacles to the area prior to the event, cost of refuse disposal to be billed to Washburn Street Meat Market.

Seconded by Alderman Fogle and adopted. Ayes 6.

080713.10D

By Alderman Lombardi:

Resolved, that pursuant to their request, the United Way of Greater Niagara is hereby granted permission to conduct the 2013 Norm Sinclair Family Walk on Saturday, September 28, 2013, and to barricade Market Street from North Adam Street to Wide Waters Marina between the hours of 7:30 a.m. – 1:00 p.m. and to erect a tent at Nelson C. Goehle Park for said event, subject to approval of the walk route by the Police Chief and the United Way of Greater Niagara filing a certificate of insurance with the City Clerk naming the City of Lockport as additional insured, and be it further

Resolved, that the Director of Engineering is hereby authorized and directed to arrange for deliver of barricades, traffic cones, and street closed signs and arrange to have the restroom open at the park on said date.

Seconded by Alderman McCaffrey and adopted. Ayes 6.

080713.10E

By Alderman Schrader:

Whereas, the City of Lockport's Waste Water Treatment Plant desires to purchase a used agitator with PLC upgrade for the Compost Facility, and

Whereas, the agitator is available for purchase from Siemens Industry Inc. at a cost of \$52,802, now therefore be it

Resolved, that the Chief Operator of the Waste Water Treatment Plant is authorized and directed to make said purchase to be charged to account 004-0004-0520-4146.

Seconded by Alderman Genewick and adopted. Ayes 6.

080713.10F

By Alderman McCaffrey:

Resolved, that the Mayor and Common Council do hereby extend condolences to the family of George E. Rutherford, a retired City of Lockport Highways & Parks Department employee who recently passed away.

Seconded by Alderman Kibler and adopted. Ayes 6.

080713.10G

By Alderman McCaffrey:

Whereas, the Niagara County Historical Society (DBA The History Center of Niagara County) is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Recreational Trails Program for a trail project to be located at 24 Church Street, Lockport, NY, a site located within the territorial jurisdiction of this Council; and

Whereas, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the “approval/endorsement of the government body of the municipality in which the project will be located”; now therefore be it

Resolved, that by this august body that the Council of the City of Lockport, New York hereby does approve and endorse the application of the Niagara County Historical Society for a grant under the Recreational Trails Program for a trail project known as the Niagara County and Erie Canal Heritage Tourism project and located within this community.

Seconded by Alderman Schrader and adopted. Ayes 6.

080713.10H

By Alderman McCaffrey:

Whereas, the Historic Palace Theatre is applying to the New York State Empire Development Corporation for a grant for an interior renovation project; and

Whereas, as a requirement under the rules of these programs, said not-for profit corporation must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”, now therefore be it

Resolved the Common Council of the City of Lockport, New York hereby does approve the application of the Historic Palace Theatre for this grant.

Seconded by Alderman Schrader and adopted. Ayes 6.

080713.10I

By Alderman Kibler:

Whereas, the City of Lockport has used bleachers in need of repair at the City Garage that are no longer needed for municipal or public purposes, and

Whereas, the Cambria Volunteer Fire Company, Inc. is looking for used bleachers for its tractor pull and various other fundraisers, and

Whereas, the Cambria Volunteer Fire Company, Inc. is a not-for profit 501 (c) (3) organization, and

Whereas, the Fire Company has agreed to be responsible for the removal and transportation of the bleachers from the City Garage to the Fire Company, now therefore be it

Resolved, that the used bleachers in disrepair at the City Garage is hereby donated to the Cambria Volunteer Fire Company for public use at its events upon the condition that the Fire Company accept them in “as is” condition and that the Fire Company transport them from the City to the Fire Company.

Seconded by Alderman Lombardi and adopted. Ayes 6.

080713.10J

By Alderman McCaffrey:

Whereas, tenants of Ulrich City Centre along Main Street would like to have flower pots and related decorations in front of their stores, and

Whereas, due to the location of the building the front of each business along Main Street lies within the sidewalk and City right of way, now therefore be it

Resolved, that the Chief Building Inspector be and is hereby authorized to grant permission to merchants at Ulrich City centre along Main Street to place flower pots and related decorations in front of their store within the city right of way.

Seconded by Alderman Fogle and adopted. Ayes 6.

080713.11

ADJOURNMENT

At 6:40 P.M. Alderman McCaffrey moved the Common Council be adjourned until 6:00 P.M., Wednesday, August 21, 2013.

Seconded by Alderman Lombardi and adopted. Ayes 6.

RICHELLE J. PASCERI
City Clerk